



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

BRIEFING: JUNE 2, 2010 EXECUTIVE / ADMINISTRATIVE COMMITTEE MEETING
AGENDA ITEM #3

TO: Chairman Pringle and Authority Board Members

FROM: Carrie Pourvahidi, Interim Executive Director

DATE: 5/24/10

RE: FRA MOU Concerning Federal Funding to Transbay Terminal

Background

At the May 2010 Board meeting Authority staff reported that the Federal Railroad Administration (FRA) had proposed a Memorandum of Understanding (MOU) to include, as parties, FRA, Transbay Joint Powers Authority (TJPA), and the High-Speed Rail Authority (Authority). The subject of the proposed MOU is the FRA's allocation of \$400 million in ARRA funding to Transbay Terminal (the funding comes from the \$2.25 billion of ARRA dollars awarded in January 2010 in response to the Authority's application for Track 2 funding).

Update

As a result of further discussions with representatives of all parties, there has emerged the idea of two bilateral agreements (FRA-TJPA and FRA-Authority) rather than one trilateral agreement. Following those discussions, the Authority's legal counsel prepared a conceptual proposed agreement between FRA and the Authority, sent it to FRA's General Counsel, and discussed it with him. FRA's General Counsel stated that he would give the proposed agreement further consideration and would respond with any additional suggestions. As of the date of this memo, Authority staff and legal counsel await his response.

Staff Recommendation

There is no recommendation from staff at this time.